

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

REO BOREN,

Plaintiff,

v.

STUBBS, et al.,

Defendant.

3:12-CV-0034-MMD (VPC)

**REPORT AND RECOMMENDATION
OF U.S. MAGISTRATE JUDGE**

This report and recommendation is made to the Honorable Miranda M. Du, United States District Judge. The action was referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and the Local Rules of Practice, LR IB 1-4.

Plaintiff submitted an application to proceed *in forma pauperis* (#1). Upon review of the application, the court found that plaintiff's declaration was insufficient for the court to rule on the application (#9). On August 15, 2013, the court ordered plaintiff to fully complete an application to proceed *in forma pauperis* that was provided with the order. *Id.* Plaintiff was cautioned that failure to do so would result in a recommendation to the District Court to dismiss this action. *Id.* Plaintiff failed to respond to this court's order.

In addition, three orders issued by the court have been returned by the U.S. Postal Service as undeliverable (#s 7, 8, & 10). Plaintiff has failed to provide this court with a change of address in violation of Local Special Rule ("LSR") 2-2 which may also result in dismissal.

Based upon the foregoing, the undersigned magistrate judge recommends that this action be dismissed without prejudice.

1 The parties should be aware of the following:

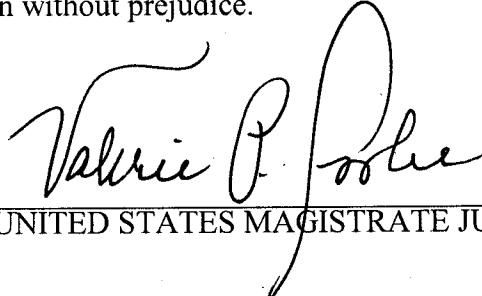
2 1. They may file, pursuant to 28 U.S.C. § 636(b)(1)(C) and Rule IB 3-2 of the Local Rules
3 of Practice, specific written objections to this Report and Recommendation within fourteen (14) days
4 of receipt. These objections should be titled "Objections to Magistrate Judge's Report and
5 Recommendation" and should be accompanied by points and authorities for consideration by the
6 District Court.

7 2. This Report and Recommendation is not an appealable order, and any notice of appeal
8 pursuant to Rule 4(a)(1), Fed. R. App. P., should not be filed until entry of the District Court's
9 judgment.

10 **RECOMMENDATION**

11 For the reason stated above, the undersigned Magistrate Judge recommends that the District
12 Court enter an order **DISMISSING** this action without prejudice.

13 DATED: September 17, 2013.

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16 UNITED STATES MAGISTRATE JUDGE
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